THE HON'BLE SMT.JUSTICE T.MEENA KUMARI

&

THE HON'BLE SRI JUSTICE K. C. BHANU

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WRIT PETITION NO.21816 OF 2005

Dated: 24.10.2005

Between:

Neerju Kattu Venkaiah, Kasumuru Village, Satram Mandal, Nellore District.

..Petitioner

And

1. The Station House Officer, Venkatachalam Police Station, Nellore District and others.

Respondents.

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WRIT PETITION NO.21816 OF 2005

ORDER: (Per Hon'ble Smt. Justice T. Meena Kumari)

This writ petition is taken up on the basis of a telegram dated 28.09.2005 sent by the petitioner wherein the petitioner alleged that his two sons and daughter have been kidnapped by one Koduboina Munuswamy, the paramour of the petitioner's wife and that the police have not been taking any action on the representation filed by him. Petitioner also apprehends danger to the lives of his sons at the hands of the kidnappers.

In the counter-affidavit filed by the Sub-Inspector of Police, Venkatachalam Police Station, Nellore District, it is stated that petitioner's wife along with her two sons and daughter was living at Vedayapalem of Nellore Town, by running a petty shop. Further, during the course of enquiry, petitioner's wife has stated that as she has been harassed by her husband mentally, she has decided to leave him and accordingly came to Nellore and leading her own life. She also claims to have filed a petition before the Principal Senior Civil Judge at Nellore, against the petitioner, for divorce. It is also stated that about 20 days back, petitioner's wife went to Kasumuru Village and brought her sons from the Elementary School, Kasumuru Village, without the knowledge of the petitioner herein and joined them in Elementary School at Vedayapalem. Further, one of the sons of the petitioner, namely, N. Masthanaiah has expressed his willingness to go to his father and he has been staying with his father, the petitioner herein. The other children are stated to be with their mother.

In view of the averments made in the counter affidavit filed by the respondents, there is no kidnapping as alleged by the petitioner. Hence, no further directions are required to be issued in this writ petition. The writ petition is accordingly dismissed.

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T. Meena Kumari,J

Date: 24.10.2005

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K.C. Bhanu,J

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